

MICHAEL P. HEALY, #4777-0
1188 Bishop Street, Suite 3304
Honolulu, HI 96813
Telephone: (808) 525-8584
Facsimile: (808) 376-8695
E-mail: honolululawyer@outlook.com

CHARLES H. BROWER, #1980-0
900 Fort Street, Suite 1210
Honolulu, HI 96813
Telephone: (808) 526-2688
Facsimile: (808) 526-0307
E-Mail: honolululaw808@gmail.com

Attorneys for Plaintiff
Laura L. Sharp

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

LAURA L. SHARP,)	CIVIL NO. _____
)	
Plaintiff,)	COMPLAINT; JURY
)	DEMAND; SUMMONS
vs.)	
)	
CAM SECURITY, INC.,)	
)	
Defendant.)	
_____)	

COMPLAINT

COMES NOW, Plaintiff LAURA L. SHARP, by and through her attorneys
Michael P. Healy and Charles H. Brower, and for causes of action against Defendant,
alleges and avers as follows:

NATURE OF CASE

1. Plaintiff LAURA L. SHARP (hereinafter “SHARP”) was at all times mentioned herein a resident of Honolulu, Hawaii.

2. Defendant CAM SECURITY, INC. (hereinafter “CAM SECURITY”), is a domestic profit corporation incorporated in the State of Hawaii.

3. This is a disability discrimination case for failure to provide a reasonable accommodation and termination due to disability.

STATEMENT OF FACTS

4. Plaintiff was hired by Defendant CAM SECURITY in August 2015.

5. On March 21, 2016, Plaintiff was terminated from her position with Defendant CAM SECURITY.

6. Defendant refused to allow Plaintiff a medically necessary reasonable accommodation of medical leave for her disability caused by a lower back injury.

7. Plaintiff had been complaining during her employment that a defective chair provided to Plaintiff at work was causing Plaintiff’s low back pain and the need to have surgery because she could not sit, stand, walk, or work.

8. Plaintiff had to take a leave of absence for medical care on January 16, 2016, due to the disabling back injury. Plaintiff was approved for temporary disability insurance.

9. On March 18, 2016, Plaintiff's doctor, Dr. Leon Liem, Neurosurgeon, sent a letter to Defendant CAM SECURITY, notifying the employer that Plaintiff had to have low back surgery which was scheduled for April 15, 2016.

10. Three days later, on March 21, 2016, Plaintiff was terminated from employment, rather than allow her to continue her approved medical leave to have surgery and recover and return to work.

11. On March 21, 2016, Defendant CAM SECURITY sent Plaintiff a letter stating that she was terminated from employment because she was on leave due to her medical disability.

12. Prior to the injury, Plaintiff performed her job properly, and would have returned to work after recovery from her scheduled surgery.

13. Plaintiff was qualified for and able to perform the essential functions of her job during her employment before she became disabled and unable to work.

JURISDICTION

14. The jurisdiction of this Court is pursuant to The Americans With Disability Act of 1990, as amended.

15. The administrative prerequisites for filing this cause of action have been fulfilled. A right-to-sue letter was issued by the Equal Employment Opportunity Commission ("EEOC") on January 21, 2021, and received by Plaintiff on or after January 22, 2021.

STATEMENT OF CLAIMS

COUNT I - DISABILITY DISCRIMINATION

16. Plaintiff incorporates paragraphs 1 through 14, as though fully set forth herein.

17. The Americans With Disabilities Act of 1990, as amended, prohibits discrimination due to a disability, and requires an employer to provide a reasonable accommodation to a person with a disability, and not terminate an employee due to a disability.

18. The aforesaid acts and/or conduct of Defendants constitute discrimination as they were acts and/or failure to act by Defendants and its employees in direct violation of the Americans With Disabilities Act of 1990, as amended.

19. Plaintiff has suffered, as a direct and proximate result of the aforesaid conduct, damages by way of loss of earnings and earning capacity, loss of fringe and pension benefits, and other benefits due her.

20. As a further direct and proximate result of said unlawful conduct, Plaintiff has suffered the indignity of harassment, the invasion of her right to be free from unlawful employment practices, and great humiliation, which is manifest in emotional distress.

21. As a further direct and proximate result of said unlawful employment practices, Plaintiff has suffered mental anguish, outrage, depression, severe anxiety about her future and her ability to support herself, harm to her employability and earning capacity as well as loss of a career advancement opportunity, painful embarrassment among her friends and co-workers, disruption of her personal life, and loss of enjoyment of the ordinary pleasures of everyday life for which she is entitled to an award of general damages.

22. The actions of Defendants and their employees as described above are oppressive, outrageous, and otherwise characterized by aggravating circumstances sufficient to justify the imposition of punitive damages.

WHEREFORE, upon a hearing hereof Plaintiff prays that judgment be entered on all Counts:

- A. For reinstatement to employment with Defendant CAM SECURITY with full benefits; and
- B. For all damages to which Plaintiff is entitled, including general damages and other damages to be proven at trial; and
- C. For special damages, including back pay, front pay and other expenses; and
- D. For punitive damages; and

E. For attorney's fees, costs, and interest, including prejudgment interest; and

F. For such other and further relief as is appropriate.

DATED: Honolulu, Hawaii, April 22, 2021.

/s/ Charles H. Brower
CHARLES H. BROWER
MICHAEL P. HEALY
Attorneys for Plaintiff
Laura L. Sharp